

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MICROSOFT CORPORATION,	)	
Plaintiff,	)	<b>NOTICE OF DATATERN, INC.'S UNOPPOSED MOTION TO FILE UNDER SEAL</b>
v.	)	
DATATERN, INC.,	)	
Defendant.	)	
<hr/>		
SAP AG and SAP AMERICA, INC.,	)	CIVIL ACTION NO. 1:11-cv-02365-KBF
Plaintiff,	)	CIVIL ACTION NO. 1:11-cv-02648-KBF
v.	)	ECF Case
DATATERN, INC.,	)	
Defendant.	)	
<hr/>		

**Consolidated Cases:**

CIVIL ACTION NO. 1:11-cv-02365-KBF  
CIVIL ACTION NO. 1:11-cv-02648-KBF

ECF Case

PLEASE TAKE NOTICE THAT, upon DataTern, Inc.'s Memorandum of Law in Support of Unopposed Motion to File Under Seal, dated November 27, 2012, and pursuant to the Court's Protective Order, the Local Rules, the ECF Rules and the Sealed Records Filing Instructions, Defendant DataTern, Inc. ("DataTern") hereby moves this Court, before the Honorable Katherine B. Forrest, United States District Court Judge for the Southern District of New York, on a date and a time to be set by the Court, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007-1312, for an order allowing DataTern to file under seal the documents that contain confidential information.

November 27, 2012

Respectfully submitted,

DATATERN, INC.  
By its attorneys,

McCARTER & ENGLISH, LLP

/s/ Lee Carl Bromberg  
Lee Carl Bromberg  
[lbromberg@mccarter.com](mailto:lbromberg@mccarter.com)  
William A. Zucker, *pro hac vice*  
[wzucker@mccarter.com](mailto:wzucker@mccarter.com)  
Erik Paul Belt, *pro hac vice*  
[ebelt@mccarter.com](mailto:ebelt@mccarter.com)  
Daniel J. Kelly, *pro hac vice*  
[dkelly@mccarter.com](mailto:dkelly@mccarter.com)  
265 Franklin Street  
Boston, MA 02110  
(617) 449-6500

and

245 Park Avenue  
New York, New York 10167  
(212) 609-6800

**CERTIFICATE OF SERVICE**

I certify that, on this 27th day of November, I served by copies of DataTern Inc.'s Memorandum In Support of Motion to File Under Seal upon counsel of record for the other parties in the above-referenced consolidated matters via ECF, with courtesy copies served via electronic mail.

/s/ Lee Carl Bromberg  
Lee Carl Bromberg